

**SUPREME COURT MINUTES  
WEDNESDAY, JUNE 10, 1998  
SAN FRANCISCO, CALIFORNIA**

S069354 People, Respondent

6th Dist. v.

H014879 Louis Lasko, Jr., Appellant

Appellant's petition for review GRANTED.

The issues to be argued before this court shall be limited to whether the trial court had a sua sponte duty to instruct the jury that imperfect self-defense or provocation/heat of passion may reduce an implied malice murder to involuntary manslaughter.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S069442 People, Respondent

1st Dist. v.

A074986 James R. Metters, Jr., Appellant

Div. 2 Appellant's petition for review GRANTED.

The issues to be argued before this court shall be limited to whether the trial court violated appellant's constitutional right to an unanimous jury by dismissing a holdout juror.

George, C.J.

Mosk, J.

Kennard, J.

Werdegar, J.

Brown, J.

S070028 People, Respondent

6th Dist. v.

H016184 Andrew James Allen, Appellant

Appellant's petition for review GRANTED.

The issues to be argued before this court shall be limited to  
1) whether appellant can be convicted of receiving/selling stolen  
property pursuant to section 496 when the evidence shows appellant  
was the actual thief but the statute of limitations for theft has not run  
and 2) whether the prohibition against convictions for receipt and  
theft applies when the convictions are for receipt and burglary.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S070495      Quemetco, Inc. et al., Petitioners  
2nd Dist.      v.  
B121295      Los Angeles County Superior Court, Respondent  
Div. 7      Houston General Insurance Company et al.,  
Real Parties in Interest

Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *Foster-Gardner, Inc. v. National Fire Insurance Co.*, S063425 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

Enforcement of the trial court minute order granting real party in interest Houston General leave to file motion for summary adjudication of issues, issued on April 1, 1998, in Los Angeles County Superior Court case number BC012529, is stayed pending further order of this court.

The motions to file petition and answer under seal are granted.

George, C.J.  
Mosk, J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.  
Brown, J.

S067155 Anthony Letrice Townsel, Petitioner

v.

Madera County Superior Court, Respondent

Daniel E. Lungren, Real Party in Interest

Good cause appearing from the petition filed in this matter, it is ordered that an alternative writ of mandate issue, requiring respondent either (1) to vacate its order precluding contact with trial jurors absent respondent's prior approval or (2) in the alternative, to show cause when the proceeding is ordered on calendar why a peremptory writ of mandate ordering respondent to do so should not issue.

The writ is to be issued, served and filed on or before June 17, 1998.

The return is to be served and filed on or before July 1, 1998

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S069142 Guy Terrall Lorick, Petitioner

v.

Clerk of the California Supreme Court, Respondent

Gail Lewis as Warden, Real Party in Interest

Petition for writ of mandate DENIED.

S070475 Macheen F. Shaughnessey, Petitioner

v.

Fifth District Court of Appeal, Respondent

People, Real Party in Interest

Petition for writ of mandate DENIED.

Orders were filed in the following matters denying petition for writ of habeas corpus:

S067139 - In re Terry Huston et al. on Habeas Corpus. Petition for writ of habeas corpus is DENIED without prejudice to filing a new petition after the proposed amendments to title 15 are enacted in their final form.

S067276 - In re William Simpson Bruce III on Habeas Corpus.

S068974 - In re William Simpson Bruce III on Habeas Corpus.

S069566 - In re Goodwin R. Brodit on Habeas Corpus.

S069799 - In re Roger Malcolm on Habeas Corpus. Application for stay and petition for writ of habeas corpus DENIED.

1st Dist. People, Respondent  
A071967 v.  
A080138 Neil Rennis Shumate, Appellant  
Div. 2 Appellant's petition for review DENIED.  
S069369

1st Dist. People, Respondent  
A073945 v.  
Div. 5 Troy Smith et al., Appellants  
S069508 Appellants' petitions for review DENIED.

1st Dist. In re Paul Dufrisne on Habeas Corpus  
A074855 -----  
A080618 People, Respondent  
Div. 2 v.  
S069595 Paul Dufrisne, Appellant  
Appellant's petition for review DENIED.

1st Dist. People, Respondent  
A074880 v.  
Div. 5 Joan Larae Carrafa, Appellant  
S069381 Appellant's petition for review DENIED.

1st Dist. In re Goodwin R. Brodit on Habeas Corpus  
A074730 -----  
A079648 People, Respondent  
Div. 3 v.  
S069510 Goodwin R. Brodit, Appellant  
Appellant's petition for review DENIED.

1st Dist. People, Respondent  
A074886 v.  
Div. 2 Van Howard Johnson et al., Appellants  
S069495 Appellants' petition for review DENIED.

1st Dist. In re Eugene Bryce Livingston on Habeas Corpus  
A075005 -----  
A077271 People, Respondent  
Div. 4 v.  
S069839 Eugene Bryce Livingston, Appellant  
Appellant's petition for review DENIED.

1st Dist. People, Respondent  
A076052 v.  
Div. 3 Jimmie Lee Doss, Jr., Appellant  
S069842 Appellant's petition for review DENIED.

1st Dist. Neal J. Schon, Appellant  
A076098 v.  
Div. 5 Sam Conti, Respondent  
S09509 Appellant's petition for review DENIED.

1st Dist. Mojdeh Froozandeh, Appellant  
A076138 v.  
Div. 4 Regents of the University of California et al., Respondents  
S069826 Petition for review DENIED.

1st Dist. People, Respondent  
A077240 v.  
Div. 2 Jamaine Vernon Paige et al., Appellants  
S069474 Appellants' petitions for review DENIED.

1st Dist. People, Respondent  
A077795 v.  
Div. 2 Arthur James Smith, Appellant  
S070072 Appellant's petition for review DENIED.

1st Dist. Jerry Zamudio et al., Appellants  
A078087 v.  
Div. 4 State of California et al., Respondents  
S069989 Appellants' petition for review DENIED.

1st Dist. People, Respondent  
A078124 v.  
Div. 2 Ernie Wayne Stevens, Appellant  
S070037 Appellant's petition for review DENIED.

1st Dist. In re Jaimes F., a Person Coming Under the Juvenile Court Law  
A078144 -----  
Div. 4 Sonoma County Human Services et al., Respondents  
S069814 v.  
Kelly M., Appellant  
Petition for review DENIED.

1st Dist. Fantasy Incorporated, Respondent  
A078801 v.  
Div. 5 Highland Music Incorporated, Appellant  
S069649 Petition for review DENIED.

1st Dist. People, Respondent  
A079446 v.  
Div. 5 Scanvinski Hymes, Appellant  
S070050 Appellant's petition for review DENIED.

1st Dist. Anne Kirueshkin, Respondent  
A079539 v.  
Div. 2 Walter A. Varakin, Appellant  
S065944 Appellant's petition for review DENIED.

1st Dist. People, Respondent  
A079593 v.  
Div. 2 Mark E. Miller, Appellant  
S069597 Appellant's petition for review DENIED.

1st Dist. People, Respondent  
A079945 v.  
Div. 5 Melvin Leon King, Appellant  
S069831 Appellant's petition for review DENIED.

1st Dist. Jon Langsam, Petitioner  
A080737 v.  
Div. 4 Contra Costa County Superior Court, Respondent  
S069632 David R. Olick, Real Party in Interest  
Petition for review DENIED.

1st Dist. Jeffrey J. Carter, Respondent  
A081774 v.  
Div. 5 John E. Judge, Appellant  
S069652 Petition for review DENIED.

1st Dist. In re Howard G. Gray  
A082103 on  
Div. 2 Habeas Corpus  
S069932 Petition for review DENIED on the merits.

1st Dist. Donald Randolph, Petitioner  
A082184 v.  
Div. 1 Alameda County Superior Court, Respondent  
S069962 People, Real Party in Interest  
Petition for review DENIED.

1st Dist. In re Hulen T. Harrell  
A082314 on  
Div. 3 Habeas Corpus  
S09926 Petition for review DENIED. (*In re Clark* (1993) 5 Cal.4th 750.)

1st Dist. Richard London, Petitioner  
A082323 v.  
Div. 2 Solano County Superior Court, Respondent  
S069940 Department of Corrections et al., Real Parties in Interest  
Petition for review DENIED.

1st Dist. Ron Daley, Petitioner  
A082423 v.  
Div. 4 San Francisco County Superior Court, Respondent  
S070049 Suzanne Meek Tollefson, Real Party in Interest  
Petition for review DENIED.

2nd Dist. C. Timothy Smoot, Appellant  
B088913 v.  
Div. 3 Debra A. Cucci, Respondent  
S069809 Appellant's petition for review DENIED.

2nd Dist. Nagwa Sadek et al., Appellants  
B091436 v.  
Div. 3 Sorrento Biochemical Incorporated et al., Respondents  
S068737 Petition for review DENIED.  
The request for an order directing publication of the opinion is  
DENIED.

2nd Dist. People, Respondent  
B093741 v.  
Div. 4 Dale Ray Hurd, Appellant  
S069507 Appellant's petition for review DENIED.  
Kennard, J., is of the opinion the petition should be granted.

2nd Dist. Lionel A. Daley, Appellant  
B095530 v.  
Div. 5 Juel Rubin-Hart, Respondent  
S069828 Appellant's petition for review DENIED.

2nd Dist. Vrej Aghajanian, Appellant  
B096442 v.  
Div. 3 Glendale Adventist Medical Center et al., Respondents  
S069857 Appellant's petition for review DENIED.

2nd Dist. William Greve et al., Appellants  
B098709 v.  
Div. 6 Angeles Chemical Co. et al., Respondents  
S069935 Petition for review DENIED.  
Brown, J., is of the opinion the petition should be granted.  
The Reporter of Decisions is directed not to publish in the

Official Appellate Reports the opinion in the above-entitled appeal, filed March 23, 1998, which appears as modified at 62 Cal.App.4th 478. (Cal. Const., art. VI, section 14; rule 976, Cal. Rules of Court.)

Mosk, J., and Werdegarr, J., are of the view the opinion should remain published.

2nd Dist. People, Respondent  
B100147 v.  
B116108 Darrell Wayne King, Appellant  
Div. 7 And Companion Case  
S069503 Appellant's petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. Juana Lardizabal, Appellant  
B103060 v.  
Div. 3 American Airlines Incorporated, Respondent  
S069794 Appellant's petition for review DENIED.

2nd Dist. Justine Lai & Elvira Viernes et al., Appellants  
B103924 v.  
Div. 1 Prudential Insurance Company of America et al., Respondents  
S069780 Respondents' petition for review DENIED.  
The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above-entitled appeal, filed March 17, 1998, which appears at 62 Cal.App.4th 220. (Cal. Const., art. VI, section 14; rule 976, Cal. Rules of Court.)  
Kennard, J., is of the view the opinion should remain published.  
Werdegarr, J., did not participate.

2nd Dist. People, Respondent  
B104256 v.  
Div. 7 Sylbert Pitts, Appellant  
S069460 Petitions for review DENIED.

2nd Dist. People, Respondent  
B105067 v.  
Div. 3 Daniel Burton Hannicutt, Appellant  
S070014 Appellant's petition for review DENIED.

2nd Dist. B105359 Div. 2 S069865	In re Dwight W., a Person Coming Under the Juvenile Court Law ----- People, Respondent v. Dwight W., Appellant Appellant's petition for review DENIED.
2nd Dist. B105614 Div. 7 S069315	People, Respondent v. Miguel R. Tovar, Appellant Appellant's petition for review DENIED.
2nd Dist. B105766 Div. 3 S069441	People, Respondent v. Julius Bragg, Appellant Appellant's petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
2nd Dist. B106082 Div. 7 S069835	People, Respondent v. Young Kyu Pak, Appellant Appellant's petition for review DENIED.
2nd Dist. B106114 Div. 3 S069813	People, Respondent v. Bryan Edwin Ransom, Appellant Appellant's petition for review DENIED.
2nd Dist. B106758 Div. 3 S070036	People, Respondent v. Francis Theodore McShery, Appellant Appellant's petition for review DENIED.
2nd Dist. B107475 Div. 5 S069858	People, Respondent v. Carlos Edward Rodarte et al., Appellants Appellants' petitions for review DENIED.

2nd Dist. B107614 Div. 3 S069852	People, Respondent v. Kevin Byron London, Appellant Appellant's petition for review DENIED.
2nd Dist. B108100 Div. 4 S069811	People, Respondent v. Kenneth James Johnson, Appellant Appellant's petition for review DENIED.
2nd Dist. B108131 Div. 5 S069841	People, Respondent v. Manuel Flores, Appellant Appellant's petition for review DENIED.
2nd Dist. B108564 Div. 5 S069094	Richard Salant, Appellant v. Spensley Horn Jubas & Lubitz, etc. et al., Respondents Respondents' petition for review DENIED.
2nd Dist. B108730 Div. 2 S069879	People, Respondent v. Kevin Lee, Appellant Appellant's petition for review DENIED.
2nd Dist. B109115 Div. 3 S069925	Robert A. Barzilli et al., Appellants v. Silvana Filippi et al., Respondents Appellants' petition for review DENIED.
2nd Dist. B109209 Div. 3 S070029	People, Respondent v. Nathaniel Joseph Allen, Appellant Appellant's petition for review DENIED.
2nd Dist. B109230 Div. 2 S069827	People, Respondent v. Anthony Zaragosa, Appellant Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B109423 v.  
Div. 5 Benny Tenal Arrington et al., Appellants  
S069545 Appellants' petition for review DENIED.

2nd Dist. Vernetta Steele, Appellant  
B109548 v.  
Div. 7 County of Los Angeles et al., Respondents  
S069829 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B109627 v.  
Div. 1 Edgar Rafael Salazar, Appellant  
S069465 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B109762 v.  
Div. 4 Ronald Ramsey, Appellant  
S069919 Appellant's petition for review DENIED.

2nd Dist. In re the Marriage of Serguei Iarikov and Natalia Iarikova  
B110050 -----  
Div. 6 Serguei Iarikov, Appellant  
S069587 v.  
Natalia Iarikova, Respondent  
Petition for review DENIED.  
The request for an order directing publication of the opinion is  
DENIED.

2nd Dist. People, Respondent  
B110054 v.  
Div. 7 Martiros Sarkisyan, Appellant  
S070062 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B110223 v.  
Div. 3 Eric Wayne Davis, Appellant  
S069973 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B110513 v.  
Div. 1 Kevin T. Crane, Appellant  
S069821 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B110699 v.  
Div. 3 Hector Ricardo Flores, Appellant  
S069922 Appellant's petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. People, Respondent  
B110763 v.  
Div. 2 Michael Hartman, Appellant  
S069889 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B111024 v.  
Div. 5 Raynard Charles Holman, Appellant  
S069954 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B111229 v.  
Div. 7 Carl Hupp, Appellant  
S069832 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B111385 v.  
Div. 5 Larry Flanigan, Appellant  
S069802 Appellant's petition for review DENIED.

2nd Dist. Jung Sim Kim et al., Appellants  
B111434 v.  
Div. 1 Wilshire Tower Apartments Incorporated, Respondent  
S069698 Appellants' petition for review DENIED.

2nd Dist. People, Respondent  
B111687 v.  
Div. 3 Gregory Jackson, Appellant  
S070060 Appellant's petition for review DENIED.

2nd Dist. In re Carlos G. Russo on Habeas Corpus  
B112510 -----  
B117780 People, Respondent  
Div. 1 v.  
S069863 Carlos G. Russo, Appellant  
Appellant's petition for review DENIED.

2nd Dist. Julius A. Leetham et al., Appellants  
B112669 v.  
Div. 1 Yosemite Mountain Ranch Ltd. et al., Respondents  
S069861 Petition for review DENIED.

2nd Dist. People, Respondent  
B112750 v.  
Div. 6 Frank Caballero, Appellant  
S069856 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B112854 v.  
Div. 1 Sherman Jones, Appellant  
S070003 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B112997 v.  
Div. 1 William Tolbert, Appellant  
S069804 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B113116 v.  
Div. 3 David Lee Potter, Appellant  
S069916 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B113345 v.  
Div. 3 Joe Manuel Elizardo, Appellant  
S069636 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B113368 v.  
Div. 1 Zachary Brewer, Appellant  
S070032 Appellant's petition for review DENIED.

2nd Dist. B113598 Div. 3 S069862	Ronald J. Hock, Appellant v. Williams Instrument Company Incorporated, Respondent Appellant's petition for review DENIED.
2nd Dist. B113877 Div. 1 S069791	People, Respondent v. Donald Mosby, Appellant Appellant's petition for review DENIED.
2nd Dist. B114046 Div. 7 S069934	In re Roshanda S., a Person Coming Under the Juvenile Court Law ----- Lucille H., Appellant v. Los Angeles Co. Dept. of Children & Family Services, Respondent Petition for review DENIED.
2nd Dist. B114384 Div. 3 S063803	Albert Shnaider, Petitioner v. Los Angeles County Superior Court, Respondent Shen Sevrin, Real Party in Interest Real Party in Interest's petition for review DENIED.
2nd Dist. B114845 Div. 1 S069833	People, Respondent v. Robert Ronald Kennedy, Appellant Appellant's petition for review DENIED.
2nd Dist. B115206 Div. 1 S070051	Carla Cavalier, Appellant v. Nate Holden et al., Respondents Respondents' petition for review DENIED.
2nd Dist. B115543 Div. 1 S069952	People, Respondent v. Patrick John Brady, Appellant Appellant's petition for review DENIED.

2nd Dist. Myresheia W., Petitioner  
B116195 v.  
Div. 5 Los Angeles County Superior Court, Respondent  
S069116 People, Real Party in Interest  
Petition for review DENIED.

2nd Dist. Banner Entertainment Incorporated, Petitioner  
B116436 v.  
Div. 3 Los Angeles County Superior Court, Respondent  
S069850 Alchemy Filmworks Incorporated, Real Party in Interest  
Real Party in Interest's petition for review DENIED.

2nd Dist. People, Respondent  
B116791 v.  
Div. 1 Reginald J. Moore, Appellant  
S070025 Appellant's petition for review DENIED.

2nd Dist. Los Angeles Co. Dept. of Children & Family Svcs., Petitioner  
B118164 v.  
Div. 4 Los Angeles County Superior Court, Respondent  
S069676 Paul Anthony C. et al., Real Parties in Interest  
Petition for review DENIED.  
The request for an order directing depublication of the opinion is DENIED.

2nd Dist. J. Michael Schaefer, Appellant  
B119677 v.  
Div. 2 Kim Stockdale, Respondent  
S070057 Appellant's petition for review DENIED.

2nd Dist. Eric H., Petitioner  
B120047 v.  
Div. 5 Los Angeles County Superior Court, Respondent  
S069296 Sonia B., Real Party in Interest  
Petition for review DENIED.  
Mosk, J., Kennard, J., and Chin, J., are of the opinion the petition should be granted.

2nd Dist.      Optical Radiation Corp., Petitioner  
B120160      v.  
Div. 1      Los Angeles County Superior Court, Respondent  
S069074      Simon L. Degulis, Real Party in Interest  
                Petition for review DENIED.

2nd Dist.      Charles Cheatham, Petitioner  
B120423      v.  
Div. 1      Workers' Compensation Appeals Board et al., Respondents  
S069844      Petition for review DENIED.

2nd Dist.      Dermelle Davenport, Petitioner  
B120639      v.  
Div. 2      Los Angeles County Superior Court, Respondent  
S070094      People, Real Party in Interest  
                Petition for review DENIED.

2nd Dist.      City of Los Angeles, Petitioner  
B120676      v.  
Div. 7      Los Angeles County Superior Court, Respondent  
S069368      Jack Porter, Real Party in Interest  
                Petition for review DENIED.

2nd Dist.      Dinesh Shah et al., Petitioners  
B120776      v.  
Div. 1      Los Angeles County Superior Court, Respondent  
S070578      Beatriz S.F. Capucci, Real Party in Interest  
                Application for stay and petition for review DENIED.

2nd Dist.      American Motorists Insurance Company, Petitioner  
B120878      v.  
Div. 7      Los Angeles County Superior Court, Respondent  
S069679      Montrose Chemical Corporation of California, Real Party in Interest  
                Petition for review DENIED.

2nd Dist.      S. Kimberly Belshe et al., Petitioners  
B121698      v.  
Div. 7      Los Angeles County Superior Court, Respondent  
S070358      Milagro Doe et al., Real Parties in Interest  
                Application for stay, request for transfer and petition for review  
                DENIED.

- 3rd Dist. People, Respondent  
C016478 v.  
S069908 Cindy Kay May, Appellant  
Appellant's petition for review DENIED.
- 3rd Dist. People, Respondent  
C022602 v.  
S069217 Tyrone Anthony Chatman, Appellant  
Appellant's petition for review DENIED.  
Kennard, J., is of the opinion the petition should be granted.  
The Reporter of Decisions is directed not to publish in the  
Official Appellate Reports the opinion in the above-entitled appeal,  
filed February 25, 1998, which appears at 61 Cal.Ap.4th 1030. (Cal.  
Const., art. VI, section 14; rule 976, Cal. Rules of Court.)  
Baxter, J., is of the view the opinion should remain published.
- 3rd Dist. People, Respondent  
C024674 v.  
S069351 Kenneth D. Clemons, Appellant  
Appellant's petition for review DENIED.
- 3rd Dist. People, Respondent  
C025647 v.  
S070027 Ernest Fitzgerald Lynch, Appellant  
Appellant's petition for review DENIED.
- 3rd Dist. People, Respondent  
C026047 v.  
S069792 Lee Shawn Sassenberg, Appellant  
Appellant's petition for review DENIED.
- 3rd Dist. People, Respondent  
C026188 v.  
S069912 Jeremiah Gene Hammer, Appellant  
Appellant's petition for review DENIED.

3rd Dist. Katherine Meza, Appellant  
C026203 v.  
S069939 Southern California Physicians Ins. Exchange, Respondent  
Petition for review DENIED.  
Mosk, J., and Kennard, J., are of the opinion the petition should  
be granted.

3rd Dist. People, Respondent  
C026416 v.  
S070031 Charles James Black, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C026421 v.  
S069984 Milton Lewis Grant, Appellant  
Appellant's petition for review DENIED.

3rd Dist. In re Angel S., a Person Coming Under the Juvenile Court Law  
C027549 -----  
S069662 Department of Health & Human Services, Respondent  
v.  
Michael W. et al., Appellants  
Petition for review DENIED.

3rd Dist. People, Respondent  
C027860 v.  
S069942 Jesus Magallanes, Appellant  
Appellant's petition for review DENIED.

3rd Dist. Ditco Inc., Petitioner  
C028869 v.  
S070021 Workers' Compensation Appeals Board et al., Respondents  
Petition for review DENIED.

3rd Dist. Alexandre Massimo Vichi, Petitioner  
C029203 v.  
S070033 Nevada County Superior Court, Respondent  
People, Real Party in Interest  
Petition for review DENIED.

3rd Dist. John Steelman, Petitioner  
C029235 v.  
S069958 Fern Laetham as State Public Defender, Respondent  
People, Real Party in Interest  
Petition for review DENIED.

4th Dist. Patricia Zmuda, Respondent  
D022661 v.  
D024072 Robin Williams, Appellant  
Div. 1 Respondent's petition for review DENIED.  
S069982 Mosk, J., is of the opinion the petition should be granted.  
The requests for an order directing publication of the opinion are  
DENIED.

4th Dist. Brent Noon, Appellant  
D022798 v.  
D028827 U.S.A. Track and Field et al., Respondents  
Div. 1 Petition for review DENIED.  
S069869

4th Dist. Anthony Forcier et al., Respondents  
D024006 v.  
Div. 1 Todd Zweig et al., Appellants  
S069769 Respondents' petition for review DENIED.

4th Dist. People, Respondent  
D026497 v.  
Div. 1 Anthony Dwayne Gilbert, Appellant  
S069950 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D026801 v.  
Div. 1 Daniel Krone, Appellant  
S069335 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D026883 v.  
D029954 Gustavo Ortiz Martinez, Appellant  
Div. 1 -----  
S070070 In re Gustavo Ortiz Martinez on Habeas Corpus  
Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D027141 v.  
Div. 1 Christopher Rossi, Appellant  
S070085 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D027300 v.  
Div. 1 Joseph Isala Malvia, Appellant  
S069321 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D027585 v.  
Div. 1 Michael Adrian Richards, Appellant  
S069358 Respondent's petition for review DENIED.  
Kennard, J., and Brown, J., are of the opinion the petition should  
be granted.

4th Dist. People, Respondent  
D027944 v.  
Div. 1 Mark A. Rodriguez, Appellant  
S069496 Appellant's petition for review DENIED.  
The request for an order directing publication of the opinion is  
DENIED.

4th Dist. People, Respondent  
D028569 v.  
Div. 1 Sentarian Fields, Appellant  
S069584 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D028696 v.  
Div. 1 William Gary Flores, Appellant  
S070058 Appellant's petition for review DENIED.

4th Dist. In re Saengphet N., a Person Coming Under the Juvenile Court Law  
D028902 -----  
Div. 1 People, Respondent  
S069801 v.  
Saengphet N., Appellant  
Appellant's petition for review DENIED.

4th Dist.      Shea Homes Limited Partnership et al., Petitioners  
D030709      v.  
Div. 1      San Diego County Superior Court, Respondent  
S069657      Strang Mechanical Incorporated et al., Real Parties in Interest  
Petition for review DENIED.

4th Dist.      Jack Chesbro, Jr., Appellant  
E016374      v.  
Div. 2      Bermuda Dunes Country Club et al., Respondents  
S069808      Appellant's petition for review DENIED.

4th Dist.      People, Respondent  
E017440      v.  
Div. 2      Curtis Garrett, Jr., Appellant  
S069822      Appellant's petition for review DENIED.

4th Dist.      People, Respondent  
E017846      v.  
Div. 2      John Kavic, Appellant  
S069981      Appellant's petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

4th Dist.      People, Respondent  
E018320      v.  
Div. 2      Steven Craig Whitney, Appellant  
S069365      Appellant's petition for review DENIED.

4th Dist.      People, Respondent  
E019051      v.  
Div. 2      David C. Gonzales, Jr., Appellant  
S069435      Appellant's petition for review DENIED.

4th Dist.      People, Respondent  
E019243      v.  
Div. 2      Steve Martines Mitchel, Appellant  
S070054      Appellant's petition for review DENIED.

4th Dist.      Albert G. Knoefler et al., Appellants  
E019390      v.  
Div. 2      City of Riverside, Respondent  
S070044      Appellants' petition for review DENIED.

4th Dist. E019436 Div. 2 S069812	People, Respondent v. Steven Jesse Angulo, Appellant Appellant's petition for review DENIED.
4th Dist. E019490 Div. 2 S069486	People, Respondent v. Salvador Mendoza Martinez, Appellant Appellant's petition for review DENIED.
4th Dist. E019513 Div. 2 S069983 `	People, Respondent v. Francisco Perez Reyes, Appellant Appellant's petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
4th Dist. E019590 Div. 2 S069905	People, Respondent v. Aaron C. Cochran, Appellant Appellant's petition for review DENIED.
4th Dist. E019765 Div. 2 S069445	People, Respondent v. Kathey Lynn James, Appellant Appellant's petition for review DENIED.
4th Dist. E019784 Div. 2 S069851	People, Respondent v. Maurice Harrison, Appellant Appellant's petition for review DENIED.
4th Dist. E019963 Div. 2 S070041	People, Respondent v. Joseph Manzanares, Appellant Appellant's petition for review DENIED.
4th Dist. E020053 Div. 2 S069489	People, Respondent v. Mark Edward Hendrickson, Appellant Appellant's petition for review DENIED.

4th Dist. E020074 Div. 2 S069599	People, Respondent v. Marcus Demond Williams, Appellant Appellant's petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
4th Dist. E020326 Div. 2 S070067	People, Respondent v. Michael Hernandez, Appellant Appellant's petition for review DENIED.
4th Dist. E020393 Div. 2 S069903	People, Respondent v. Damound Tyrone Miles, Appellant Appellant's petition for review DENIED.
4th Dist. E020784 Div. 2 S070015	People, Respondent v. Tommy Lee Walters, Appellant Appellant's petition for review DENIED.
4th Dist. E020861 Div. 2 S070325	Gary J. Bryant, Appellant v. Daniel L. Stephenson et al., Respondents Appellant's petition for review DENIED.
4th Dist. G016416 Div. 3 S069314	Dynamic Concepts, Appellant v. Truck Insurance Exchange, Appellant Appellant's petition for review DENIED. The request for an order directing depublication of the opinion is DENIED.
4th Dist. G016901 G021069 Div. 3 S068944	People, Respondent v. Eric Deon Clark, Appellant ----- In re Eric Deon Clark on Habeas Corpus Appellant's petition for review DENIED.

4th Dist. Julie T.S.S. Tagaloalagi, Appellant  
G017159 v.  
Div. 3 State of California Department of Social Services, Respondent  
S069986 Appellant's petition for review DENIED.

4th Dist. David S. Greenberg et al., Appellants  
G017622 v.  
Div. 3 Alan Marshall Bynder et al., Respondents  
S070243 Petition for review DENIED.

4th Dist. People, Respondent  
G019752 v.  
Div. 3 Rafael H. Alcarez et al., Appellants  
S069677 Appellants' petition for review DENIED.

4th Dist. People, Respondent  
G019965 v.  
Div. 3 Steven Anthony Lopez, Appellant  
S069936 Appellant's petition for review DENIED without prejudice to  
filing a petition for writ of habeas corpus in the sentencing court.  
(*People v. Superior Court (Romero)* (1996) 13 Cal.4th 497, 530,  
fn. 13.)

4th Dist. People, Respondent  
G020028 v.  
Div. 3 Tony Gipson, Appellant  
S070020 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
G020047 v.  
G020148 Darrell Gene Huff et al., Appellants  
Div. 3 Appellants' petition for review DENIED.  
S070047

4th Dist. People, Respondent  
G020162 v.  
Div. 3 Calvin Edward Jordan, Appellant  
S069888 Appellant's petition for review DENIED.

4th Dist. G020830 Div. 3 S069917	People, Respondent v. Lonny James Ramsdale, Appellant Appellant's petition for review DENIED.
4th Dist. G022147 G022157 Div. 3 S069696	In re the Marriage of John A. and Luanne H. Buzzanca ----- John A. Buzzanca, Respondent v. Luane H. Buzzanca, Appellant Petition for review DENIED.
4th Dist. G022992 Div. 3 S069436	Michael Hainsworth, Petitioner v. Orange County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
4th Dist. G023071 Div. 3 S069635	Truck Insurance Exchange et al., Petitioners v. Orange County Superior Court, Respondent Lin Yuan Lin, Real Party in Interest Petition for review DENIED.
4th Dist. G023173 Div. 3 S069965	William F. Wenke, Petitioner v. Orange County Superior Court, Respondent Judith M. Rose, Real Party in Interest Petition for review DENIED.
5th Dist. F024133 S069353	People, Respondent v. Tony Adam Worgull, Appellant Appellant's petition for review DENIED.
5th Dist. F024485 S069416	People, Respondent v. Dennis Lynn Stowe, Appellant Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F025962 v.  
S069893 Christopher Brown, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F026985 v.  
S069541 Jose Luis R. Vasquez, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F027064 v.  
S070024 Angel Bernacett, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F027843 v.  
S069854 Alysia Lanae Shankle, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Appellant  
F028001 v.  
S069880 Francis Owen Sullivan III, Respondent  
Respondent's petition for review DENIED.

5th Dist. Twain Harte Elementary et al., Petitioners  
F029576 v.  
S069871 Workers' Compensation Appeals Board et al., Respondents  
Petition for review DENIED.

6th Dist. People, Respondent  
H015058 v.  
S069356 Tracy Shelly Smith, Appellant  
Appellant's petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

6th Dist. People, Respondent  
H016261 v.  
S069519 William Simpson Bruce III, Appellant  
Appellant's petition for review DENIED.

6th Dist. People, Respondent  
H016375 v.  
S069978 Roy Lee Jones, Appellant  
Appellant's petition for review DENIED.

6th Dist. People, Respondent  
H016491 v.  
S069538 Rudolph Camozzi, Appellant  
Appellant's petition for review DENIED.

6th Dist. People, Respondent  
H016498 v.  
S069933 Hilario Arcones Lomosad III, Appellant  
Appellant's petition for review DENIED.

6th Dist. People, Respondent  
H016555 v.  
S069956 Harum Suaiman McDaniels, Appellant  
Appellant's petition for review DENIED.

6th Dist. Derrick Corporation et al., Appellants  
H016586 v.  
S069866 De Anza Bank, Respondent  
Appellants' petition for review DENIED.

6th Dist. People, Respondent  
H016741 v.  
S069798 Salvador Samaripa, Appellant  
Appellant's petition for review DENIED.

6th Dist. In re David R., a Person Coming Under the Juvenile Court Law  
H017838 -----  
S070007 Santa Cruz County Human Resources Agency, Respondent  
v.  
Staci M. et al., Appellants  
Petitions for review DENIED.

4th Dist. Alex Webb, Respondent  
D024899 v.  
D025100 El Dorado Colleges Inc., Appellant  
D025103 The Reporter of Decisions is directed not to publish in the  
D025104 Official Appellate Reports the opinion in the above-entitled appeal,  
Div. 1 filed February 11, 1998, which appears at 61 Cal.App.4th 1450.  
S069405 (Cal. Const., art. VI, section 14; rule 976, Cal. Rules of Court.)

1st Dist. Economic Empowerment Foundation, Appellant  
A074592 v.  
Div. 3 Charles Quackenbush, Respondent  
S067936 State Farm Mutual Automobile Insurance Company et al.,  
Respondents  
The request for an order directing publication of the opinion in  
the above entitled cause is DENIED.

1st Dist. Leslie M. Flannery, Respondent  
A076872 v.  
Div. 1 California Highway Patrol et al., Appellants  
S069410 The request for an order directing depublication of the opinion in  
the above entitled cause is DENIED.

1st Dist. Curtis Allen, Appellant  
A078521 v.  
A07941 Deborah Hermann, Respondent  
Div. 5 The request for an order directing publication of the opinion in  
S069886 the above entitled cause is DENIED.

2nd Dist. In re Marcella P., a Person Coming Under the Juvenile Court Law  
B108639 -----  
Div. 1 L.A. County Dept. of Children & Family Svcs., Respondent  
S069667 v.  
Marcellus P., Appellant  
The request for an order directing publication of the opinion in  
the above entitled cause is DENIED.

2nd Dist. Margaret A. Niewiarowski, Appellant  
B108839 v.  
Div. 5 State of California Department of Transportation, Respondent  
S070405 The request for an order directing publication of the opinion in  
the above entitled cause is DENIED.

2nd Dist. G. R. Levenson, Appellant  
B110194 v.  
Div. 3 Massachusetts Mutual Life Insurance Company, Respondent  
S069506 The request for an order directing publication of the opinion in  
the above entitled cause is DENIED.

2nd Dist. Park Northridge Homeowners Association, Petitioner  
B114592 v.  
Div. 7 Los Angeles County Superior Court, Respondent  
S069883 Truck Insurance Exchange et al., Real Parties in Interest  
The request for an order directing publication of the opinion in  
the above entitled cause is DENIED.

2nd Dist. City of Los Angeles, Petitioner  
B118351 v.  
Div. 5 Los Angeles County Superior Court, Respondent  
S069581 Paul Fisher, Real Party in Interest  
The request for an order directing publication of the opinion in  
the above entitled cause is DENIED.

3rd Dist. M. Maribel, Petitioner  
C028572 v.  
S069977 Sacramento County Superior Court, Respondent  
Sacramento County Dept. of Health & Human Resources et al.,  
Real Parties in Interest  
The request for an order directing depublication of the opinion in  
the above entitled cause is DENIED.  
George, C.J., did not participate.

4th Dist. In re Jeffrey E., a Person Coming Under the Juvenile Court Law  
D028333 -----  
Div. 1 San Diego County Department of Social Services, Respondent  
S068629 v.  
Elizabeth E., Appellant  
The request for an order directing publication of the opinion in  
the above entitled cause is DENIED.

- 6th Dist.      Dennis Guevara, Petitioner  
H016326      v.  
Santa Cruz County Superior Court, Respondent  
People, Real Party in Interest  
The order extending time, filed on May 19 1998, is hereby terminated.
- S011960      People, Respondent  
v.  
Cynthia Coffman and James Gregory Marlow, Appellants  
Appellant's Cynthia Coffman's opening brief shall be filed on or before Wednesday, July 1, 1998. If the brief is not filed by that date, the court will consider issuance of an order directing William J. Kopeny and Albert A. Newton to show cause before this court, when the matter is placed on calendar, why counsel should not be held in contempt of court and sanctions imposed for the delay in the appellate process occasioned by the 34 extensions of time to file the brief thus far granted.
- S062201      John Guz, Appellant  
v.  
Bechtel National, Inc et al., Respondents  
On application of respondents and good cause appearing, it is ordered that the request to file a reply brief in excess of the page limit is hereby GRANTED.
- S065450      In re Jeffrey Jay Hawkins  
on  
Habeas Corpus  
On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's reply to informal response to the petition for writ of habeas corpus is extended to and including July 21, 1998.
- S065485      Nelson F. Leone, Appellant  
v.  
Medical Board of California, Respondent  
On application of appellant Nelson F. Leone and good cause appearing, it is ordered that the time to serve and file appellant's answer brief on the merits is extended to and including July 23, 1998.

S065485 Nelson F. Leone, Appellant

v.

Medical Board of California, Respondent

On application of appellant Shashi D. Ganti and good cause appearing, it is ordered that the time to serve and file appellant's answer brief on the merits is extended to and including July 23, 1998.

S068488 In re Jose Arnaldo Rodriguez

on

Habeas Corpus

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's informal response to the petition for writ of habeas corpus is extended to and including July 15, 1998.

S068312 People, Respondent

v.

Richard Edward Wright, Jr., Appellant

Upon request of appellant for appointment of counsel, Kyle Gee is hereby appointed to represent appellant on his appeal now pending in this court.

S068040 In re **Kenneth Blickenstaff** on Discipline

Petition for writ of review denied.

It is ordered that **Kenneth Blickenstaff** be suspended from the practice of law for five years, that execution of suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for three years and until he makes restitution to Jean Erksine in the amount of \$700.00, plus 10% interest per annum from June 2, 1995, and to Anthony Crotinger in the amount of \$2,300.00, plus 10% interest per annum from November 7, 1995, or the Client Security Fund if appropriate, and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of Trials. He is to remain suspended from the practice of law and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. He is also ordered ordered to comply with the other conditions of probation recommended by

the Hearing Department of the State Bar Court in its order dated December 30, 1997, regarding stipulation filed on December 12, 1997. He is also ordered to provide the State Bar Probation Unit with satisfactory proof that he has taken and passed the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.\* Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and are payable in accordance with section 6140.7 (as amended effective January 1, 1997).

\*(See Business & Professions Code, § 6126, subd. (c).)

S068216 In re **Kevan H. Gilman** on Discipline

Petition for writ of review and request for recusal are denied.

It is ordered that **Kevan H. Gilman** be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including 60 days actual suspension and payment of court imposed sanctions, as recommended by the Hearing Department of the State Bar Court in its Decision filed December 19, 1997. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and are payable in accordance with Business and Professions Code section 6140.7, as amended effective January 1, 1997.

S069270 In re **Kenneth Jay Schwartz** on Discipline

It is ordered that **Kenneth Jay Schwartz** be suspended from the practice of law for one year and until he makes restitution to William and Judy Kim (or the Client Security Fund, if appropriate) in the amount of \$1500 plus 10% interest per annum from December 22, 1995, and provide satisfactory proof thereof to the Probation Unit; and until Respondent returns all files and paperwork belonging to William and Judy Kim; that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions

of probation, including restitution, recommended by the Hearing Department of the State Bar Court in its order regarding stipulation filed February 11, 1998. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business and Professions Code section 6140.7 (as amended effective January 1, 1997).

S069272 In re **John J. Schimmenti** on Discipline

It is ordered that **John J. Schimmenti** be suspended from the practice of law for one year, that execution of said suspension be stayed, and that he be placed on probation for one year subject to the conditions of probation, including actual suspension for 30 days, recommended by the Hearing Department of the State Bar Court in its Further Order Regarding Stipulation filed November 12, 1997. Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and are payable in accordance with Business and Professions Code section 6140.7 (as amended effective January 1, 1997).

